

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA	:	Hon. Georgette Castner
	:	
v.	:	Crim. No. 22-638 (GC)
	:	
MALACHI MUHAMMAD	:	<b>ORDER FOR A CONTINUANCE</b>

This matter having come before the Court as a joint request by the parties for a continuance in this matter, with the United States being represented by Philip R. Sellinger, United States Attorney for the District of New Jersey (by Tracey Agnew, Assistant United States Attorney) and defendant Malachi Muhammad now being represented by Bruce Throckmorton, Esq.; on August 30, 2023, Bruce Throckmorton, Esq., was appointed by the Court to replace Adam Axel, Esq., as counsel for the defendant, see D.E. 14-16; since that time, the Government has provided new defense counsel all the discovery; and the parties having conferred and now seek an order from this Court granting a continuance of the proceedings in the above-captioned matter from the date this Order is signed through and including February 29, 2024, to provide ample time for counsel to review the discovery with the defendant, for the parties to continue plea discussions, and for the defense to consider the filing of pretrial motions; and the defendant being aware that he has the right to have the matter brought to trial within 70 days of the date of his appearance before a judicial officer of this court pursuant to Title 18, United States Code, Section 3161(c); and two prior continuances having been entered in this matter, on March 15, 2023 and

June 27, 2023; and the defendant, through his attorney, having consented to the continuance; and for good and sufficient cause shown,

IT IS THE FINDING OF THIS COURT that this action should be continued for the following reasons:

(1) Taking into account the exercise of diligence, the facts of this case necessitate that new defense counsel, just appointed on August 30, 2023, be permitted a reasonable amount of additional time to review the discovery in this case and for effective preparation in this matter;

(2) Defense counsel also seeks additional time to consider and discuss with the defendant the filing of pretrial motions;

(3) Both the United States and the defendant seek additional time to continue plea negotiations, which could render any subsequent trial of this matter unnecessary;

(4) The defendant has consented to the aforementioned continuance;


(5) The grant of a continuance likely will conserve judicial resources; and

(6) As a result of the foregoing, pursuant to Title 18, United States Code, Section 3161(h)(7), the ends of justice served by granting the continuance outweigh the best interests of the public and the defendant in a speedy trial.


WHEREFORE, it is on this 30<sup>th</sup> day of November, 2023,

ORDERED that this action be, and it hereby is, continued from the date this Order is signed through and including February 29, 2024; and it is further

ORDERED that the period from the date this Order is signed through and including February 29, 2024 shall be excludable in computing time under the Speedy Trial Act of 1974.

  
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Honorable Georgette Castner  
United States District Judge

Agreed to and consented by:

  
\_\_\_\_\_  
Tracey Agnew  
Assistant U.S. Attorney

s/ Bruce Throckmorton

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Bruce Throckmorton, Esq.  
Attorney for Malachi Muhammad